

FREJKA PLLC
Elise S. Frejka
Jason S. Rappaport
733 Third Avenue
New York, New York 10017
Telephone: (212) 641-0800

Attorneys for Theresa Berman Revocable Trust, Estate of Theresa Berman, Lillian Berman Goldfarb, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman, Lyle Berman, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman, and Sharon Berman Snyder, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THERESA BERMAN REVOCABLE TRUST; THE
ESTATE OF THERESA BERMAN; LYLE
BERMAN, in his capacity as Trustee for the Theresa
Berman Revocable Trust and in his capacity as
Personal Representative of the Estate of Theresa
Berman; SHARON BERMAN SNYDER, in her
capacity as Trustee for the Theresa Berman
Revocable Trust and in her capacity as Personal

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04416 (SMB)

Representative of the Estate of Theresa Berman; and LILLIAN BERMAN GOLDFARB, in her capacity as Trustee for the Theresa Berman Revocable Trust and in her capacity as Personal Representative of the Estate of Theresa Berman,

Defendants.

NOTICE OF SUBSTITUTION OF COUNSEL AND PROPOSED ORDER

PLEASE TAKE NOTICE that the law firm of Frejka PLLC, 733 Third Avenue, New York, New York 10017, shall be substituted in place of the law firm of Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036 as counsel of record for Theresa Berman Revocable Trust, Estate of Theresa Berman, Lillian Berman Goldfarb, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman, Lyle Berman, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman, and Sharon Berman Snyder, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman (the “Defendants”) in this adversary proceeding. All notices given or required to be given in this adversary proceeding shall be given to and served upon the following:

FREJKA PLLC
733 Third Avenue
New York, New York 10017
Attn: Elise S. Frejka
Jason S. Rappaport
Telephone: (212) 641-0800
Email: efrejka@frejka.com
jrappaport@frejka.com

PLEASE TAKE FURTHER NOTICE THAT the Defendants have knowledge of and
consent to this substitution of counsel.

Dated: New York, New York
March 23, 2015

KRAMER LEVIN NAFTALIS &
FRANKEL LLP

By: /s/ Philip Bentley

Philip Bentley
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9100
Facsimile: (212) 715-8000

Dated: New York, New York
March 23, 2015

FREJKA PLLC

By: /s/ Elise S. Frejka

Elise S. Frejka
Jason S. Rappaport
733 Third Avenue
New York, New York 10017
Telephone: (212) 641-0800

Dated: New York, New York
March __, 2015

SO ORDERED:

HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

v.
Plaintiff,

BERNARD L. MADOFF INVESTMENT SECURITIES
LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

v.
Plaintiff,

THERESA BERMAN REVOCABLE TRUST; THE
ESTATE OF THERESA BERMAN; LYLE BERMAN, in
his capacity as Trustee for the Theresa Berman Revocable
Trust and in his capacity as Personal Representative of the
Estate of Theresa Berman; SHARON BERMAN
SNYDER, in her capacity as Trustee for the Theresa
Berman Revocable Trust and in her capacity as Personal
Representative of the Estate of Theresa Berman; and
ILLIAN BERMAN GOLDFARB, in her capacity as
Trustee for the Theresa Berman Revocable Trust and in her
capacity as Personal Representative of the Estate of
Theresa Berman,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-04416 (SMB)

DECLARATION OF ELISE S. FREJKA

I, ELISE S. FREJKA declare as follows:

1. I am a member of the firm of Frejka PLLC and a member of the Bar of this Court.

Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I submit this declaration in support of the

accompanying notice and proposed order substituting Frejka PLLC for Kramer Levin Naftalis & Frankel LLP as counsel for Theresa Berman Revocable Trust, Estate of Theresa Berman, Lillian Berman Goldfarb, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman, Lyle Berman, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman, and Sharon Berman Snyder, as Trustee for the Theresa Berman Revocable Trust and as Personal Representative of the Estate of Theresa Berman (the "Defendants") in the above-captioned adversary proceeding. I also have read Local Bankruptcy Rule 2090-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York.

2. The Defendants have requested and consent to this substitution of counsel.
3. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
March 23, 2015

By: /s/ Elise S. Frejka
Elise S. Frejka